

ADDENDUM TO THE WIRELESS LEASE AGREEMENT

THIS ADDENDUM is entered into this _____ day of _____, 2009, between West Valley City, a municipal corporation of the State of Utah, (herein the "City") and Cricket Communications, Inc. (hereinafter referred to as "Wireless Provider").

WHEREAS, the City and the Wireless Provider have entered into a Wireless Lease Agreement (the "Agreement") executed on January 8th, 2009, for certain property located on the roof of the West Valley City Family Fitness Center, in West Valley City; and

WHEREAS, the City and the Wireless Provider desire to add this Addendum to the Wireless Lease Agreement in order to set forth additional terms related to the Wireless Provider's use of utilities; and

NOW, THEREFORE, for and in consideration of the mutual covenants made in the Agreement and herein, the City and the Wireless Provider agree as follows:

1. **Electricity.** The City shall allow the Wireless Provider to use the West Valley City Family Fitness Center's power for compensation in the amount of \$175.00 per month payable annually in the amount of \$2,100.00 and due August 1st. Wireless Provider shall install a sub-meter to allow the City to measure the amount of power used by Wireless Provider before Wireless Provider begins use. If the City determines that Wireless Provider is using more than \$175.00 per month in power, the City shall provide written notice to Wireless Provider and Wireless Provider shall submit payment on the amount of power used over the \$175.00. In addition, Wireless Provider shall pay any fees, costs and/or charges of any kind whatsoever related to the usage of power over \$175.00 per month.

All other terms and conditions of the Wireless Lease Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum the day and year first above written.

WEST VALLEY CITY

Dennis J. Nordfelt, Mayor

ATTEST:

Sheri McKendrick, City Recorder

Its: _____

On this _____ day of _____, 2009, personally appeared before me _____, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he is the _____ (title) of Cricket Communications, Inc., and said document was signed by him on behalf of said corporation by authority of its bylaws or of a Resolution of its Board of Directors, and he acknowledged to me that said corporation executed the same.

Notary Public